

# Court of Appeals, State of Michigan

## ORDER

People of MI v Jonathan Joseph Good

Docket No. 349268

LC No. 08-006437-FC

Kathleen Jansen  
Presiding Judge

Thomas C. Cameron

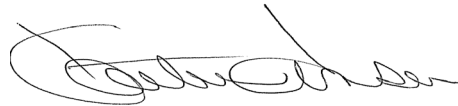
Michelle M. Rick  
Judges

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The motion for immediate consideration is GRANTED.

The motion to set aside and for clarification is GRANTED. We clarify our April 13, 2023 order to add that, on remand, the trial court is to determine whether good cause exists for appellate counsel's failure to raise the issues argued by defendant in his motion for relief from judgment, including that appellate counsel was ineffective for not asserting that trial counsel was ineffective in arguments regarding the validity of defendant's arrest. "The defendant has the burden of establishing the factual predicate of his ineffective assistance claim." *People v Douglas*, 496 Mich 557, 592; 852 NW2d 587 (2014) (citation omitted). Defendant therefore may develop a factual record with testimony from trial counsel and from appellate counsel.

We retain jurisdiction.



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Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

August 22, 2023

Date



Chief Clerk